

REMARKS

The Applicants wish to thank the Examiner for the review of the present application and for finding claims 6 and 7 allowable if rewritten in independent format. Claim 1 has been amended to omit the word “attitude” in line 6. No new matter has been added.

Claim Objections

Claim 1 stands objected to because the phrase “the attitude orientation” in claim 1, line 6 and the phrase “orientation referred to as an attitude” in claim 1, line 8 is asserted to be ambiguous. Accordingly, the word “attitude” in claim 1, line 6 has been deleted.

35 U.S.C. §102

Claims 1-4, 11-16, 18 and 19 stand rejected under 35 U.S.C. 102 as being anticipated by Japanese patent no. JP 4-201793 (Furukawa et al., hereinafter Furukawa). Claim 1 includes, in part, a sensor module for generating a signal characterizing the attitude of the support platform. Claim 1 specifically defines attitude as “the orientation of the support platform with respect to the surface beneath and in contact with the at least one ground-contacting elements.” The Examiner describes attitude as being respect to a standard “ground” surface. That surface, as explicitly stated in the claims, is the surface beneath the transporter. More precisely, the attitude as defined in claim 1 is with respect to the “surface beneath and in contact with the at least one ground-contacting elements.” Claim 1 further recites a controller for commanding the motorized drive arrangement to apply a torque to one or more of the ground-contacting elements as a function of the attitude of the support platform based upon the signal generated by the sensor module.

Furukawa uses the language “... detection means which detects the tilting angle and/or the tilting angle speed relative to the gravitational direction ...” (see translation of Furukawa at page 3, lines 3-5; page 9, lines 23-36 and claims 1-4). Whatever this is intended to convey, it cannot possibly describe the sensor module of claim 1, which generates a signal characterizing the orientation of the support platform with respect to the *surface* beneath the transporter, and not the *gravitational direction* as stated in Furukawa. Nowhere does Furukawa disclose that the tilt sensed is relative to the surface beneath the transporter. The office action suggests that the tilting sensor of Furukawa measures an angle and thus inherently measures a distance, but distances are not needed

to measure angles. A distance measurement, and more particularly a distance measurement relative to the surface beneath a transporter, is not required when measuring tilt angle with respect to gravity. For example, a transporter going up a slanted incline is at a different tilt relative to gravity than when traveling along a horizontal surface, but the transporter may nevertheless have the same attitude relative to the surface below the transporter. Therefore, it cannot be argued that Furukawa must measure a distance, if in fact, Furukawa nowhere suggests anything like it.

Thus, the tilt sensor of Furukawa can have no correspondence to the sensor module defined by claim 1. Furthermore, nowhere does Furukawa teach or suggest providing a torque to one or more of the ground-contacting elements as a function of attitude. For these reasons, Applicants' respectfully submit that the rejection of claim 1 based on Furukawa has been overcome. Dependent claims 2-4 and 11-13 also are allowable for the same reasons. Independent claim 14 and dependent claims 15, 16, 18 and 19 recite a support platform characterized by an attitude with respect to a surface beneath the transporter, and generating a signal characterizing an attitude of the support platform. Accordingly, claims 15, 16, 18 and 19 should be allowable over the art of record for the same reasons as discussed above with regard to claim 1.

35 U.S.C. §103(a)

Claims 5, 9, 10, 17 and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Furukawa in view of U.S. patent 4,749,210 (Sugasawa). Sugasawa fails to satisfy the deficiencies of Furukawa with respect to claim 1. In particular, Sugasawa fails to teach or suggest providing a torque to one or more of the ground-contacting elements as a function of attitude. Thus, dependent claims 5, 9, 10, 17 and 20 should be allowed.

Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Furukawa in view of U.S. patent 4,722,547 (Kishi et al., hereinafter Kishi). Kishi does not satisfy the deficiencies of Furukawa with respect to claim 1. In particular, Kishi fails to teach or suggest providing a torque to one or more of the ground-contacting elements as a function of attitude. Thus, claim 2 should be allowed.

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Applicants respectfully submit that all claims present in the application are allowable over the art of record and early notice to that effect is respectfully solicited.

Respectfully submitted,



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